

Remarks/Arguments

This communication is in response to the Non-Final Office Action dated January 12, 2009. Claims 10 and 12 have been amended. No new matter has been added. Claims 10-13 are pending in this application, with claim 10 being the only independent claim. Reconsideration is respectfully requested in view of the amendments to the claims.

Information Disclosure Statement

Applicant herewith submits an IDS with the reference EP 0750 152 B1, discussed in the application. This reference is also published as US 5,855,399.

Claim Objections

The Examiner objected to claims 10-13 based on informalities. Applicant amended claims 10 to delete certain commas.

Claim Rejection - 35 USC §112

The Examiner rejected claims 12 and 13 because claim 12 lacked a proper antecedent basis. Applicant amended claim 12 to correct the lacking basis. Therefore, claim 12 and dependent claim 13 are now allowable.

Allowable Subject Matter

The Examiner indicated that claims 10 and 11 are allowed over the prior art and that claims 12 and 13 would be allowable if rewritten to overcome the rejections under 35 USC §112. Applicant has made such amendments and therefore, Applicant submits that these claims should also be allowed.


CONDITIONAL PETITION FOR EXTENSION OF TIME

If entry and consideration of the amendments above requires an extension of time, Applicants respectfully request that this be considered a petition therefor. The Assistant Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

Respectfully submitted,
NORRIS McLAUGHLIN & MARCUS, P.A.

By 
Christa Hildebrand
Reg. No. 34,953
875 Third Avenue - 18th Floor
New York, New York 10022
Phone: (212) 808-0700
Fax: (212) 808-0844
Facsimile: (212)808-0844

00135494